

Senate File 2400 - Enrolled

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SENATE FILE 2400

AN ACT

RELATING TO AND MAKING APPROPRIATIONS TO CERTAIN STATE DEPARTMENTS, AGENCIES, FUNDS, AND CERTAIN OTHER ENTITIES, PROVIDING FOR REGULATORY AUTHORITY, AND OTHER PROPERLY RELATED MATTERS AND PROVIDING AN EFFECTIVE AND RETRO= ACTIVE APPLICABILITY DATE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

ADMINISTRATION AND REGULATION APPROPRIATIONS

Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.

1. There is appropriated from the general fund of the state to the department of administrative services for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

a. For salaries, support, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	6,389,186
.....	FTEs	457.33

b. For the payment of utility costs:

.....	\$	3,704,800
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Notwithstanding section 8.33, any excess funds appropriated for utility costs in this lettered paragraph shall not revert to the general fund of the state at the end of the fiscal year but shall remain available for expenditure for the purposes of this lettered paragraph during the succeeding fiscal year.

It is the intent of the general assembly that the department shall reduce utility costs through energy conservation practices. The goal of the general assembly is to reduce energy use by 10 percent to save money, conserve energy resources, and reduce pollution.

2. Members of the general assembly serving as members of the deferred compensation advisory board shall be entitled to receive per diem and necessary travel and actual expenses pursuant to section 2.10, subsection 5, while carrying out their official duties as members of the board.

3. Any funds and premiums collected by the department for workers' compensation shall be segregated into a separate workers' compensation fund in the state treasury to be used for payment of state employees' workers' compensation claims and administrative costs. Notwithstanding section 8.33, unencumbered or unobligated moneys remaining in this workers' compensation fund at the end of the fiscal year shall not revert but shall be available for expenditure for purposes of the fund for subsequent fiscal years.

Sec. 2. REVOLVING FUNDS. There is appropriated to the department of administrative services for the fiscal year beginning July 1, 2008, and ending June 30, 2009, from the revolving funds designated in chapter 8A and from internal service funds created by the department such amounts as the department deems necessary for the operation of the department consistent with the requirements of chapter 8A.

Sec. 3. FUNDING FOR IOWACCESS.

1. Notwithstanding section 321A.3, subsection 1, for the fiscal year beginning July 1, 2008, and ending June 30, 2009, the first \$1,000,000 collected and transferred by the department of transportation to the treasurer of state with respect to the fees for transactions involving the furnishing of a certified abstract of a vehicle operating record under section 321A.3, subsection 1, shall be transferred to the IowAccess revolving fund established by section 8A.224 and administered by the department of administrative services for the purposes of developing, implementing, maintaining, and expanding electronic access to government records as provided by law.

2. All fees collected with respect to transactions involving IowAccess shall be deposited in the IowAccess revolving fund and shall be used only for the support of

3 4 IowAccess projects.
 3 5 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
 3 6 CHARGE. For the fiscal year beginning July 1, 2008, and
 3 7 ending June 30, 2009, the monthly per contract administrative
 3 8 charge which may be assessed by the department of
 3 9 administrative services shall be \$2 per contract on all health
 3 10 insurance plans administered by the department.
 3 11 Sec. 5. AUDITOR OF STATE. There is appropriated from the
 3 12 general fund of the state to the office of the auditor of
 3 13 state for the fiscal year beginning July 1, 2008, and ending
 3 14 June 30, 2009, the following amount, or so much thereof as is
 3 15 necessary, to be used for the purposes designated:
 3 16 For salaries, support, maintenance, and miscellaneous
 3 17 purposes, and for not more than the following full-time
 3 18 equivalent positions:
 3 19 \$ 1,249,178
 3 20 FTEs 103.00
 3 21 The auditor of state may retain additional full-time
 3 22 equivalent positions as is reasonable and necessary to perform
 3 23 governmental subdivision audits which are reimbursable
 3 24 pursuant to section 11.20 or 11.21, to perform audits which
 3 25 are requested by and reimbursable from the federal government,
 3 26 and to perform work requested by and reimbursable from
 3 27 departments or agencies pursuant to section 11.5A or 11.5B.
 3 28 The auditor of state shall notify the department of
 3 29 management, the legislative fiscal committee, and the
 3 30 legislative services agency of the additional full-time
 3 31 equivalent positions retained.
 3 32 Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
 3 33 is appropriated from the general fund of the state to the Iowa
 3 34 ethics and campaign disclosure board for the fiscal year
 3 35 beginning July 1, 2008, and ending June 30, 2009, the
 4 1 following amount, or so much thereof as is necessary, for the
 4 2 purposes designated:
 4 3 For salaries, support, maintenance, and miscellaneous
 4 4 purposes, and for not more than the following full-time
 4 5 equivalent positions:
 4 6 \$ 527,122
 4 7 FTEs 6.00
 4 8 Sec. 7. DEPARTMENT OF COMMERCE. There is appropriated
 4 9 from the general fund of the state to the department of
 4 10 commerce for the fiscal year beginning July 1, 2008, and
 4 11 ending June 30, 2009, the following amounts, or so much
 4 12 thereof as is necessary, for the purposes designated:
 4 13 1. ALCOHOLIC BEVERAGES DIVISION
 4 14 For salaries, support, maintenance, and miscellaneous
 4 15 purposes, and for not more than the following full-time
 4 16 equivalent positions:
 4 17 \$ 2,079,509
 4 18 FTEs 37.00
 4 19 2. BANKING DIVISION
 4 20 a. Banking. For salaries, support, maintenance, and
 4 21 miscellaneous purposes, and for not more than the following
 4 22 full-time equivalent positions:
 4 23 \$ 8,200,316
 4 24 FTEs 73.00
 4 25 b. Professional licensing and regulation. For salaries,
 4 26 support, maintenance, and miscellaneous purposes, and for not
 4 27 more than the following full-time equivalent positions:
 4 28 \$ 945,982
 4 29 FTEs 16.00
 4 30 3. CREDIT UNION DIVISION
 4 31 For salaries, support, maintenance, and miscellaneous
 4 32 purposes, and for not more than the following full-time
 4 33 equivalent positions:
 4 34 \$ 1,631,740
 4 35 FTEs 19.00
 5 1 4. INSURANCE DIVISION
 5 2 a. For salaries, support, maintenance, and miscellaneous
 5 3 purposes, and for not more than the following full-time
 5 4 equivalent positions:
 5 5 \$ 4,857,123
 5 6 FTEs 101.00
 5 7 b. The insurance division may reallocate authorized full-
 5 8 time equivalent positions as necessary to respond to
 5 9 accreditation recommendations or requirements. The insurance
 5 10 division expenditures for examination purposes may exceed the
 5 11 projected receipts, refunds, and reimbursements, estimated
 5 12 pursuant to section 505.7, subsection 7, including the
 5 13 expenditures for retention of additional personnel, if the
 5 14 expenditures are fully reimbursable and the division first

5 15 does both of the following:
 5 16 (1) Notifies the department of management, the legislative
 5 17 services agency, and the legislative fiscal committee of the
 5 18 need for the expenditures.
 5 19 (2) Files with each of the entities named in subparagraph
 5 20 (1) the legislative and regulatory justification for the
 5 21 expenditures, along with an estimate of the expenditures.
 5 22 c. The insurance division shall allocate \$10,000 from the
 5 23 examination receipts for the payment of its fees to the
 5 24 national conference of insurance legislators.
 5 25 5. UTILITIES DIVISION
 5 26 a. For salaries, support, maintenance, and miscellaneous
 5 27 purposes, and for not more than the following full-time
 5 28 equivalent positions:
 5 29 \$ 7,573,402
 5 30 FTEs 79.00
 5 31 b. The utilities division may expend additional funds,
 5 32 including funds for additional personnel, if those additional
 5 33 expenditures are actual expenses which exceed the funds
 5 34 budgeted for utility regulation and the expenditures are fully
 5 35 reimbursable. Before the division expends or encumbers an
 6 1 amount in excess of the funds budgeted for regulation, the
 6 2 division shall first do both of the following:
 6 3 (1) Notify the department of management, the legislative
 6 4 services agency, and the legislative fiscal committee of the
 6 5 need for the expenditures.
 6 6 (2) File with each of the entities named in subparagraph
 6 7 (1) the legislative and regulatory justification for the
 6 8 expenditures, along with an estimate of the expenditures.
 6 9 c. Notwithstanding sections 8.33 and 476.10 or any other
 6 10 provision to the contrary, any balance of the appropriation
 6 11 made in this subsection for the utilities division or any
 6 12 other operational appropriation made for the fiscal year
 6 13 beginning July 1, 2008, and ending June 30, 2009, that remains
 6 14 unused, unencumbered, or unobligated at the close of the
 6 15 fiscal year shall not revert but shall remain available to be
 6 16 used for purposes of the energy-efficient building project
 6 17 authorized under section 476.10B, or for relocation costs in
 6 18 succeeding fiscal years.
 6 19 6. CHARGES == TRAVEL
 6 20 Each division and the office of consumer advocate shall
 6 21 include in its charges assessed or revenues generated an
 6 22 amount sufficient to cover the amount stated in its
 6 23 appropriation and any state-assessed indirect costs determined
 6 24 by the department of administrative services. The director of
 6 25 the department of commerce shall review on a quarterly basis
 6 26 all out-of-state travel for the previous quarter for officers
 6 27 and employees of each division of the department if the travel
 6 28 is not already authorized by the executive council.
 6 29 Sec. 8. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING
 6 30 AND REGULATION BUREAU. There is appropriated from the housing
 6 31 improvement fund of the department of economic development,
 6 32 or, if 2008 Iowa Acts, Senate File 2136, is enacted, from the
 6 33 housing trust fund of the Iowa finance authority, to the
 6 34 bureau of professional licensing and regulation of the banking
 6 35 division of the department of commerce for the fiscal year
 7 1 beginning July 1, 2008, and ending June 30, 2009, the
 7 2 following amount, or so much thereof as is necessary, to be
 7 3 used for the purposes designated:
 7 4 For salaries, support, maintenance, and miscellaneous
 7 5 purposes:
 7 6 \$ 62,317
 7 7 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is
 7 8 appropriated from the general fund of the state to the offices
 7 9 of the governor and the lieutenant governor for the fiscal
 7 10 year beginning July 1, 2008, and ending June 30, 2009, the
 7 11 following amounts, or so much thereof as is necessary, to be
 7 12 used for the purposes designated:
 7 13 1. GENERAL OFFICE
 7 14 For salaries, support, maintenance, and miscellaneous
 7 15 purposes for the general office of the governor and the
 7 16 general office of the lieutenant governor, and for not more
 7 17 than the following full-time equivalent positions:
 7 18 \$ 2,524,462
 7 19 FTEs 26.25
 7 20 2. TERRACE HILL QUARTERS
 7 21 For salaries, support, maintenance, and miscellaneous
 7 22 purposes for the governor's quarters at Terrace Hill, and for
 7 23 not more than the following full-time equivalent positions:
 7 24 \$ 492,593
 7 25 FTEs 10.00

7 26 3. ADMINISTRATIVE RULES COORDINATOR
 7 27 For salaries, support, maintenance, and miscellaneous
 7 28 purposes for the office of administrative rules coordinator,
 7 29 and for not more than the following full-time equivalent
 7 30 positions:
 7 31 \$ 158,873
 7 32 FTEs 3.00
 7 33 4. NATIONAL GOVERNORS ASSOCIATION
 7 34 For payment of Iowa's membership in the national governors
 7 35 association:
 8 1 \$ 80,600
 8 2 5. STATE-FEDERAL RELATIONS
 8 3 For salaries, support, maintenance, and miscellaneous
 8 4 purposes, and for not more than the following full-time
 8 5 equivalent positions:
 8 6 \$ 131,222
 8 7 FTEs 2.00
 8 8 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.
 8 9 1. There is appropriated from the general fund of the
 8 10 state to the governor's office of drug control policy for the
 8 11 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 8 12 the following amount, or so much thereof as is necessary, to
 8 13 be used for the purposes designated:
 8 14 a. For salaries, support, maintenance, and miscellaneous
 8 15 purposes, including statewide coordination of the drug abuse
 8 16 resistance education (D.A.R.E.) programs or similar programs,
 8 17 and for not more than the following full-time equivalent
 8 18 positions:
 8 19 \$ 346,731
 8 20 FTEs 8.00
 8 21 b. For support of multijurisdictional drug enforcement
 8 22 programs:
 8 23 \$ 1,760,000
 8 24 It is the intent of the general assembly that the
 8 25 governor's office of drug control policy maximize efforts with
 8 26 federal agencies concerning drug enforcement programs to avoid
 8 27 duplication of services.
 8 28 If federal funding in excess of \$880,209 is received for
 8 29 multijurisdictional drug enforcement programs during the
 8 30 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 8 31 of the moneys appropriated in this lettered paragraph, an
 8 32 amount equal to the federal funding received in excess of
 8 33 \$880,209 shall revert to the general fund of the state at the
 8 34 end of the fiscal year.
 8 35 The programs shall provide for at least a 25 percent local
 9 1 match.
 9 2 2. The governor's office of drug control policy, in
 9 3 consultation with the department of public health, and after
 9 4 discussion and collaboration with all interested agencies,
 9 5 shall coordinate substance abuse treatment and prevention
 9 6 efforts in order to avoid duplication of services.
 9 7 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is
 9 8 appropriated from the general fund of the state to the
 9 9 department of human rights for the fiscal year beginning July
 9 10 1, 2008, and ending June 30, 2009, the following amounts, or
 9 11 so much thereof as is necessary, to be used for the purposes
 9 12 designated:
 9 13 1. CENTRAL ADMINISTRATION DIVISION
 9 14 For salaries, support, maintenance, and miscellaneous
 9 15 purposes, and for not more than the following full-time
 9 16 equivalent positions:
 9 17 \$ 356,535
 9 18 FTEs 7.00
 9 19 2. DEAF SERVICES DIVISION
 9 20 For salaries, support, maintenance, and miscellaneous
 9 21 purposes, and for not more than the following full-time
 9 22 equivalent positions:
 9 23 \$ 421,700
 9 24 FTEs 6.00
 9 25 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE
 9 26 DIVISION
 9 27 For salaries, support, maintenance, and miscellaneous
 9 28 purposes, and for not more than the following full-time
 9 29 equivalent positions:
 9 30 \$ 153,093
 9 31 FTEs 1.00
 9 32 4. PERSONS WITH DISABILITIES DIVISION
 9 33 For salaries, support, maintenance, and miscellaneous
 9 34 purposes, and for not more than the following full-time
 9 35 equivalent positions:
 10 1 \$ 217,221

10 2 FTEs 3.20
10 3 5. LATINO AFFAIRS DIVISION
10 4 For salaries, support, maintenance, and miscellaneous
10 5 purposes, and for not more than the following full-time
10 6 equivalent positions:
10 7 \$ 207,035
10 8 FTEs 3.00
10 9 6. STATUS OF WOMEN DIVISION
10 10 For salaries, support, maintenance, and miscellaneous
10 11 purposes, including the Iowans in transition program and the
10 12 domestic violence and sexual assault-related grants, and for
10 13 not more than the following full-time equivalent positions:
10 14 \$ 367,203
10 15 FTEs 3.00
10 16 7. STATUS OF AFRICAN-AMERICANS DIVISION
10 17 For salaries, support, maintenance, and miscellaneous
10 18 purposes, and for not more than the following full-time
10 19 equivalent positions:
10 20 \$ 187,066
10 21 FTEs 2.00
10 22 7A. NATIVE AMERICAN AFFAIRS DIVISION
10 23 For travel reimbursement for members of the commission on
10 24 Native American affairs:
10 25 \$ 6,000
10 26 7B. DEVELOPMENT ASSESSMENT AND RESOLUTION PROGRAM
10 27 For support, maintenance, and miscellaneous purposes:
10 28 \$ 10,000
10 29 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
10 30 For salaries, support, maintenance, and miscellaneous
10 31 purposes, and for not more than the following full-time
10 32 equivalent positions:
10 33 \$ 1,587,333
10 34 FTEs 11.18
10 35 The criminal and juvenile justice planning advisory council
11 1 and the juvenile justice advisory council shall coordinate
11 2 their efforts in carrying out their respective duties relative
11 3 to juvenile justice.
11 4 9. SHARED STAFF
11 5 The divisions of the department of human rights shall
11 6 retain their individual administrators, but shall share staff
11 7 to the greatest extent possible.
11 8 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
11 9 appropriated from the general fund of the state to the
11 10 department of inspections and appeals for the fiscal year
11 11 beginning July 1, 2008, and ending June 30, 2009, the
11 12 following amounts, or so much thereof as is necessary, for the
11 13 purposes designated:
11 14 1. ADMINISTRATION DIVISION
11 15 For salaries, support, maintenance, and miscellaneous
11 16 purposes, and for not more than the following full-time
11 17 equivalent positions:
11 18 \$ 2,209,075
11 19 FTEs 39.25
11 20 As a condition of receiving funding appropriated in this
11 21 subsection, the department shall maintain the targeted small
11 22 business certification employee position within the division.
11 23 2. ADMINISTRATIVE HEARINGS DIVISION
11 24 For salaries, support, maintenance, and miscellaneous
11 25 purposes, and for not more than the following full-time
11 26 equivalent positions:
11 27 \$ 708,962
11 28 FTEs 24.00
11 29 3. INVESTIGATIONS DIVISION
11 30 For salaries, support, maintenance, and miscellaneous
11 31 purposes, and for not more than the following full-time
11 32 equivalent positions:
11 33 \$ 1,599,591
11 34 FTEs 49.00
11 35 4. HEALTH FACILITIES DIVISION
12 1 For salaries, support, maintenance, and miscellaneous
12 2 purposes, and for not more than the following full-time
12 3 equivalent positions:
12 4 \$ 2,498,437
12 5 FTEs 140.75
12 6 5. EMPLOYMENT APPEAL BOARD
12 7 For salaries, support, maintenance, and miscellaneous
12 8 purposes, and for not more than the following full-time
12 9 equivalent positions:
12 10 \$ 58,117
12 11 FTEs 15.00
12 12 The employment appeal board shall be reimbursed by the

12 13 labor services division of the department of workforce
12 14 development for all costs associated with hearings conducted
12 15 under chapter 91C, related to contractor registration. The
12 16 board may expend, in addition to the amount appropriated under
12 17 this subsection, additional amounts as are directly billable
12 18 to the labor services division under this subsection and to
12 19 retain the additional full-time equivalent positions as needed
12 20 to conduct hearings required pursuant to chapter 91C.

12 21 6. CHILD ADVOCACY BOARD

12 22 For foster care review and the court appointed special
12 23 advocate program, including salaries, support, maintenance,
12 24 and miscellaneous purposes, and for not more than the
12 25 following full-time equivalent positions:

12 26 \$ 2,751,058
12 27 FTEs 45.12

12 28 a. The department of human services, in coordination with
12 29 the child advocacy board and the department of inspections and
12 30 appeals, shall submit an application for funding available
12 31 pursuant to Title IV-E of the federal Social Security Act for
12 32 claims for child advocacy board administrative review costs.

12 33 b. The court appointed special advocate program shall
12 34 investigate and develop opportunities for expanding fund=
12 35 raising for the program.

13 1 c. Administrative costs charged by the department of
13 2 inspections and appeals for items funded under this subsection
13 3 shall not exceed 4 percent of the amount appropriated in this
13 4 subsection.

13 5 d. Notwithstanding any provision of sections 237.18 and
13 6 237.20 to the contrary, the child advocacy board may establish
13 7 up to six pilot projects using alternative policies to guide
13 8 the selection of cases and the procedures used by local
13 9 citizen foster care review boards as they review cases of
13 10 children who received or are receiving foster care or other
13 11 out-of-home placement services while under the supervision of
13 12 the department of human services. Policies to guide the pilot
13 13 project case selection, review time frames and reporting
13 14 formats shall be approved by the department of human services,
13 15 state court administrator, and the chief judge of any judicial
13 16 district in which a pilot project is to be implemented. The
13 17 child advocacy board shall report to the governor and general
13 18 assembly by February 1, 2009, on the progress of any new
13 19 approaches and their impact on efficiencies and case outcomes.

13 20 Sec. 13. RACING AND GAMING COMMISSION.

13 21 1. RACETRACK REGULATION

13 22 There is appropriated from the general fund of the state to
13 23 the racing and gaming commission of the department of
13 24 inspections and appeals for the fiscal year beginning July 1,
13 25 2008, and ending June 30, 2009, the following amount, or so
13 26 much thereof as is necessary, to be used for the purposes
13 27 designated:

13 28 For salaries, support, maintenance, and miscellaneous
13 29 purposes for the regulation of pari-mutuel racetracks, and for
13 30 not more than the following full-time equivalent positions:

13 31 \$ 2,827,266
13 32 FTEs 28.53

13 33 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

13 34 There is appropriated from the general fund of the state to
13 35 the racing and gaming commission of the department of
14 1 inspections and appeals for the fiscal year beginning July 1,
14 2 2008, and ending June 30, 2009, the following amount, or so
14 3 much thereof as is necessary, to be used for the purposes
14 4 designated:

14 5 For salaries, support, maintenance, and miscellaneous
14 6 purposes for administration and enforcement of the excursion
14 7 boat gambling and gambling structure laws, and for not more
14 8 than the following full-time equivalent positions:

14 9 \$ 3,171,229
14 10 FTEs 42.22

14 11 Sec. 14. ROAD USE TAX FUND APPROPRIATION == DEPARTMENT OF
14 12 INSPECTIONS AND APPEALS. There is appropriated from the road
14 13 use tax fund to the administrative hearings division of the
14 14 department of inspections and appeals for the fiscal year
14 15 beginning July 1, 2008, and ending June 30, 2009, the
14 16 following amount, or so much thereof as is necessary, for the
14 17 purposes designated:

14 18 For salaries, support, maintenance, and miscellaneous
14 19 purposes:

14 20 \$ 1,623,897

14 21 Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated
14 22 from the general fund of the state to the department of
14 23 management for the fiscal year beginning July 1, 2008, and

14 24 ending June 30, 2009, the following amounts, or so much
14 25 thereof as is necessary, to be used for the purposes
14 26 designated:
14 27 For salaries, support, maintenance, and miscellaneous
14 28 purposes, and for not more than the following full-time
14 29 equivalent positions:
14 30 \$ 3,178,337
14 31 FTEs 37.50
14 32 Of the moneys appropriated in this section, the department
14 33 shall use a portion for enterprise resource planning,
14 34 providing for a salary model administrator, conducting
14 35 performance audits, and for the department's LEAN process.
15 1 As a condition of receiving funding appropriated in this
15 2 section, the department of management shall report to the
15 3 members and staff of the joint appropriations subcommittee on
15 4 administration and regulation by January 1, 2009, concerning
15 5 the feasibility and costs of creating and publishing on the
15 6 internet a publicly available, single state database providing
15 7 detailed information on state funding that is subject to state
15 8 budgeting and expenditure.
15 9 The department of management budget for the fiscal year
15 10 beginning July 1, 2009, as proposed by the department and the
15 11 governor, shall include funding for director and assistant
15 12 director positions at the Tim Shields center for governing
15 13 excellence in Iowa under section 8.69.
15 14 Sec. 16. ROAD USE TAX APPROPRIATION. There is
15 15 appropriated from the road use tax fund to the department of
15 16 management for the fiscal year beginning July 1, 2008, and
15 17 ending June 30, 2009, the following amount, or so much thereof
15 18 as is necessary, to be used for the purposes designated:
15 19 For salaries, support, maintenance, and miscellaneous
15 20 purposes:
15 21 \$ 56,000
15 22 Sec. 17. DEPARTMENT OF REVENUE. There is appropriated
15 23 from the general fund of the state to the department of
15 24 revenue for the fiscal year beginning July 1, 2008, and ending
15 25 June 30, 2009, the following amounts, or so much thereof as is
15 26 necessary, to be used for the purposes designated:
15 27 For salaries, support, maintenance, and miscellaneous
15 28 purposes, and for not more than the following full-time
15 29 equivalent positions:
15 30 \$ 26,472,699
15 31 FTEs 399.01
15 32 Of the funds appropriated pursuant to this section,
15 33 \$400,000 shall be used to pay the direct costs of compliance
15 34 related to the collection and distribution of local sales and
15 35 services taxes imposed pursuant to chapters 423B and 423E.
16 1 The director of revenue shall prepare and issue a state
16 2 appraisal manual and the revisions to the state appraisal
16 3 manual as provided in section 421.17, subsection 17, without
16 4 cost to a city or county.
16 5 Sec. 18. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
16 6 appropriated from the motor fuel tax fund created by section
16 7 452A.77 to the department of revenue for the fiscal year
16 8 beginning July 1, 2008, and ending June 30, 2009, the
16 9 following amount, or so much thereof as is necessary, to be
16 10 used for the purposes designated:
16 11 For salaries, support, maintenance, and miscellaneous
16 12 purposes for administration and enforcement of the provisions
16 13 of chapter 452A and the motor vehicle use tax program:
16 14 \$ 1,305,775
16 15 Sec. 19. SECRETARY OF STATE. There is appropriated from
16 16 the general fund of the state to the office of the secretary
16 17 of state for the fiscal year beginning July 1, 2008, and
16 18 ending June 30, 2009, the following amounts, or so much
16 19 thereof as is necessary, to be used for the purposes
16 20 designated:
16 21 1. ADMINISTRATION AND ELECTIONS
16 22 For salaries, support, maintenance, and miscellaneous
16 23 purposes, and for not more than the following full-time
16 24 equivalent positions:
16 25 \$ 1,499,063
16 26 FTEs 17.00
16 27 The state department or state agency which provides data
16 28 processing services to support voter registration file
16 29 maintenance and storage shall provide those services without
16 30 charge.
16 31 2. BUSINESS SERVICES
16 32 For salaries, support, maintenance, and miscellaneous
16 33 purposes, and for not more than the following full-time
16 34 equivalent positions:

16 35 \$ 2,012,018
 17 1 FTEs 25.00
 17 2 Sec. 20. SECRETARY OF STATE FILING FEES REFUND.
 17 3 Notwithstanding the obligation to collect fees pursuant to the
 17 4 provisions of section 490.122, subsection 1, paragraphs "a"
 17 5 and "s", and section 504.113, subsection 1, paragraphs "a",
 17 6 "c", "d", "j", "k", "l", and "m", for the fiscal year
 17 7 beginning July 1, 2008, and ending June 30, 2009, the
 17 8 secretary of state may refund these fees to the filer pursuant
 17 9 to rules established by the secretary of state. The decision
 17 10 of the secretary of state not to issue a refund under rules
 17 11 established by the secretary of state is final and not subject
 17 12 to review pursuant to the provisions of the Iowa
 17 13 administrative procedure Act, chapter 17A.
 17 14 Sec. 21. TREASURER. There is appropriated from the
 17 15 general fund of the state to the office of treasurer of state
 17 16 for the fiscal year beginning July 1, 2008, and ending June
 17 17 30, 2009, the following amount, or so much thereof as is
 17 18 necessary, to be used for the purposes designated:
 17 19 For salaries, support, maintenance, and miscellaneous
 17 20 purposes, and for not more than the following full-time
 17 21 equivalent positions:
 17 22 \$ 1,027,970
 17 23 FTEs 28.80
 17 24 The office of treasurer of state shall supply clerical and
 17 25 secretarial support for the executive council.
 17 26 Sec. 22. ROAD USE TAX APPROPRIATION. There is
 17 27 appropriated from the road use tax fund to the office of
 17 28 treasurer of state for the fiscal year beginning July 1, 2008,
 17 29 and ending June 30, 2009, the following amount, or so much
 17 30 thereof as necessary, to be used for the purposes designated:
 17 31 For enterprise resource management costs related to the
 17 32 distribution of road use tax funds:
 17 33 \$ 93,148
 17 34 Sec. 23. IPERS == GENERAL OFFICE. There is appropriated
 17 35 from the Iowa public employees' retirement system fund to the
 18 1 Iowa public employees' retirement system for the fiscal year
 18 2 beginning July 1, 2008, and ending June 30, 2009, the
 18 3 following amount, or so much thereof as is necessary, to be
 18 4 used for the purposes designated:
 18 5 For salaries, support, maintenance, and other operational
 18 6 purposes to pay the costs of the Iowa public employees'
 18 7 retirement system, and for not more than the following full-
 18 8 time equivalent positions:
 18 9 \$ 17,313,766
 18 10 FTEs 95.13
 18 11 Sec. 24. Section 68A.402, subsection 1, Code Supplement
 18 12 2007, is amended to read as follows:
 18 13 1. FILING METHODS. Each committee shall file with the
 18 14 board reports disclosing information required under this
 18 15 section on forms prescribed by rule. Reports shall be filed
 18 16 on or before the required due dates by using any of the
 18 17 following methods: mail bearing a United States postal
 18 18 service postmark, hand-delivery, facsimile transmission,
 18 19 electronic mail attachment, or electronic filing as prescribed
 18 20 by rule. Any report that is required to be filed five days or
 18 21 less prior to an election must be physically received by the
 18 22 board to be considered timely filed. For purposes of this
 18 23 section, "physically received" means the report is either
 18 24 electronically filed using the board's electronic filing
 18 25 system or is received by the board prior to 4:30 p.m. on the
 18 26 report due date.
 18 27 Sec. 25. Section 68B.32A, Code Supplement 2007, is amended
 18 28 by adding the following new subsection:
 18 29 NEW SUBSECTION. 15. At the board's discretion, develop
 18 30 and operate a searchable internet site database that provides
 18 31 access to information on statements or reports filed with the
 18 32 board. For purposes of this subsection, "searchable internet
 18 33 site database" means an internet site database that allows the
 18 34 public to search and aggregate information and is in a
 18 35 downloadable format.
 19 1 Sec. 26. 2007 Iowa Acts, chapter 217, section 7,
 19 2 subsection 5, is amended by adding the following new
 19 3 paragraph:
 19 4 NEW PARAGRAPH. c. Notwithstanding sections 8.33 and
 19 5 476.10 or any other provision to the contrary, any balance of
 19 6 the appropriation made in this subsection for the utilities
 19 7 division or any other operational appropriation made for the
 19 8 fiscal year beginning July 1, 2007, and ending June 30, 2008,
 19 9 that remains unused, unencumbered, or unobligated at the close
 19 10 of the fiscal year shall not revert but shall remain available

19 11 to be used for purposes of the energy=efficient building
19 12 project authorized under section 476.10B, or for relocation
19 13 costs in succeeding fiscal years.
19 14 Sec. 27. 2007 Iowa Acts, chapter 217, section 10,
19 15 subsection 1, paragraph b, is amended to read as follows:
19 16 b. For support of multijurisdictional drug enforcement
19 17 programs:
19 18 \$ 1,400,000
19 19 ~~If federal funding is received for multijurisdictional drug~~
19 20 ~~enforcement programs during the fiscal year beginning July 1,~~
19 21 ~~2007, and ending June 30, 2008, of the moneys appropriated in~~
19 22 ~~this lettered paragraph an amount equal to the federal funding~~
19 23 ~~received less \$1,560,000 shall revert to the general fund of~~
19 24 ~~the state at the end of the fiscal year. The programs shall~~
19 25 ~~provide for at least a 25 percent local match.~~
19 26 Notwithstanding section 8.33, moneys appropriated in this
19 27 lettered paragraph that remain unencumbered or unobligated at
19 28 the close of the fiscal year shall not revert but shall remain
19 29 available for expenditure for the purpose designated until the
19 30 close of the succeeding fiscal year.
19 31 Sec. 28. EFFECTIVE DATES.
19 32 1. The provision of this division of this Act amending
19 33 2007 Iowa Acts, chapter 217, section 7, relating to the
19 34 expenditure authority of the utilities board for the fiscal
19 35 year beginning July 1, 2007, and ending June 30, 2008, for
20 1 purposes of a building project, being deemed of immediate
20 2 importance, takes effect upon enactment.
20 3 2. The provision of this division of this Act amending
20 4 2007 Iowa Acts, chapter 217, section 10, relating to
20 5 appropriations to the governor's office of drug control
20 6 policy, being deemed of immediate importance, takes effect
20 7 upon enactment.
20 8 3. The section of this division of this Act amending
20 9 section 68A.402, being deemed of immediate importance, takes
20 10 effect upon enactment.
20 11 DIVISION II
20 12 DEPARTMENT OF ADMINISTRATIVE SERVICES OPERATIONS
20 13 Sec. 29. Section 8.6, Code Supplement 2007, is amended by
20 14 adding the following new subsection:
20 15 NEW SUBSECTION. 16. DESIGNATION OF SERVICES == FUNDING ==
20 16 CUSTOMER COUNCILS.
20 17 a. Establish a process by which the department, in
20 18 consultation with the department of administrative services,
20 19 shall determine which services provided by the department of
20 20 administrative services shall be funded by an appropriation
20 21 and which services shall be funded by the governmental entity
20 22 receiving the service.
20 23 b. Establish a process for determining whether the
20 24 department of administrative services shall be the sole
20 25 provider of a service for purposes of those services which the
20 26 department determines under paragraph "a" are to be funded by
20 27 the governmental entities receiving the service.
20 28 c. Establish, by rule, a customer council responsible for
20 29 overseeing the services provided solely by the department of
20 30 administrative services. The rules adopted shall provide for
20 31 all of the following:
20 32 (1) The method of appointment of members to the council by
20 33 the governmental entities required to receive the services.
20 34 (2) The duties of the customer council which shall be as
20 35 follows:
21 1 (a) Annual review and approval of the department of
21 2 administrative services' business plan regarding services
21 3 provided solely by the department of administrative services.
21 4 (b) Annual review and approval of the procedure for
21 5 resolving complaints concerning services provided by the
21 6 department of administrative services.
21 7 (c) Annual review and approval of the procedure for
21 8 setting rates for the services provided solely by the
21 9 department of administrative services.
21 10 (3) A process for receiving input from affected
21 11 governmental entities as well as for a biennial review by the
21 12 customer council of the determinations made by the department
21 13 of which services are funded by an appropriation to the
21 14 department of administrative services and which services are
21 15 funded by the governmental entities receiving the service,
21 16 including any recommendations as to whether the department of
21 17 administrative services shall be the sole provider of a
21 18 service funded by the governmental entities receiving the
21 19 service. The department, in consultation with the department
21 20 of administrative services, may change the determination of a
21 21 service if it is determined that the change is in the best

21 22 interests of those governmental entities receiving the
21 23 service.
21 24 d. If a service to be provided may also be provided to the
21 25 judicial branch and legislative branch, then the rules shall
21 26 provide that the chief justice of the supreme court may
21 27 appoint a member to the customer council, and the legislative
21 28 council may appoint a member from the Senate and a member from
21 29 the House of Representatives to the customer council, in their
21 30 discretion.

21 31 Sec. 30. NEW SECTION. 8A.111 REPORTS REQUIRED.

21 32 The department shall provide all of the following reports:

21 33 1. An annual report of the department as required under
21 34 section 7E.3, subsection 4.

21 35 2. Internal service fund service business plans and
22 1 financial reports as required under section 8A.123, subsection
22 2 5, paragraph "a", and an annual internal service fund
22 3 expenditure report as required under section 8A.123,
22 4 subsection 5, paragraph "b".

22 5 3. An annual report regarding total spending on technology
22 6 as required under section 8A.204, subsection 3, paragraph "a".

22 7 4. An annual report of expenditures from the IowaAccess
22 8 revolving fund as provided in section 8A.224.

22 9 5. A technology audit of the electronic transmission
22 10 system as required under section 8A.223.

22 11 6. An annual report on state purchases of recycled and
22 12 soybean-based products as required under section 8A.315,
22 13 subsection 1, paragraph "d".

22 14 7. An annual report on the status of capital projects as
22 15 required under section 8A.321, subsection 11.

22 16 8. An annual salary report as required under section
22 17 8A.341, subsection 2.

22 18 9. An annual average fuel economy standards compliance
22 19 report as required under section 8A.362, subsection 4,
22 20 paragraph "c".

22 21 10. An annual report of the capitol planning commission as
22 22 required under section 8A.373.

22 23 11. A comprehensive annual financial report as required
22 24 under section 8A.502, subsection 8.

22 25 11A. An annual report regarding the Iowa targeted small
22 26 business procurement Act activities of the department as
22 27 required under section 15.108, subsection 7, paragraph "c",
22 28 and quarterly reports regarding the total dollar amount of
22 29 certified purchases for certified targeted small businesses
22 30 during the previous quarter as required in section 73.16,
22 31 subsection 2. The department shall keep any vendor

22 32 identification information received from the department of
22 33 inspections and appeals as provided in section 10A.104,
22 34 subsection 8, and necessary for the quarterly reports,
22 35 confidential to the same extent as the department of
23 1 inspection and appeals is required to keep such information.
23 2 Confidential information received by the department from the
23 3 department of inspections and appeals shall not be disclosed
23 4 except pursuant to court order or with the approval of the
23 5 department of inspections and appeals.

23 6 12. An annual report on the condition of affirmative
23 7 action, diversity, and multicultural programs as provided
23 8 under section 19B.5, subsection 2.

23 9 13. An unpaid warrants report as required under section
23 10 25.2, subsection 3, paragraph "b".

23 11 14. A report on educational leave as provided under
23 12 section 70A.25.

23 13 15. A monthly report regarding the revitalize Iowa's sound
23 14 economy fund as required under section 315.7.

23 15 Sec. 31. Section 8A.202, subsection 2, paragraph e, Code
23 16 2007, is amended by striking the paragraph.

23 17 Sec. 32. Section 8A.221, subsection 2, paragraph a,
23 18 subparagraph (2), Code 2007, is amended to read as follows:

23 19 (2) Recommend to the director the priority of projects
23 20 associated with IowaAccess. The recommendation may also

23 21 include a recommendation concerning funding for a project

23 22 proposed by a political subdivision of the state or an

23 23 association, the membership of which is comprised solely of

23 24 political subdivisions of the state. Prior to recommending a

23 25 project proposed by a political subdivision, the advisory

23 26 council shall verify that all of the following conditions are

23 27 met:

23 28 (a) The proposed project provides a benefit to the state.

23 29 (b) The proposed project, once completed, can be shared

23 30 with and used by other political subdivisions or the state, as

23 31 appropriate.

23 32 (c) The state retains ownership of any final product or is

23 33 granted a permanent license to the use of the product.

23 34 Sec. 33. Section 8A.402, subsection 2, Code 2007, is
23 35 amended by adding the following new paragraph:

24 1 NEW PARAGRAPH. f. Develop, in consultation with the
24 2 department of veterans affairs, programs to inform members of
24 3 the national guard or organized reserves of the armed forces
24 4 of the United States returning to Iowa following active
24 5 federal service about job opportunities in state government.

24 6 Sec. 34. Section 10A.104, subsection 8, Code 2007, is
24 7 amended to read as follows:

24 8 8. Establish by rule standards and procedures for
24 9 certifying that targeted small businesses are eligible to
24 10 participate in the procurement program established in sections
24 11 73.15 through 73.21. The procedure for determination of
24 12 eligibility shall not include self-certification by a
24 13 business. The director shall maintain a current directory of
24 14 targeted small businesses that have been certified pursuant to
24 15 this subsection. The director shall also provide information
24 16 to the department of administrative services necessary for the
24 17 identification of targeted small businesses as provided under
24 18 section 8A.111, subsection 11A.

24 19 Sec. 35. Section 305.10, subsection 1, paragraph h, Code
24 20 2007, is amended to read as follows:

24 21 h. Prepare all mandated reports, newsletters, and
24 22 publications for electronic distribution in accordance with
24 23 government information policies, standards, and guidelines. A
24 24 reference copy of all mandated reports, newsletters, and
24 25 publications shall be located at an electronic repository for
24 26 public access ~~to be developed and maintained by the department~~
~~24 27 of administrative services in consultation with the state~~
~~24 28 librarian and the state archivist.~~

24 29 Sec. 36. Section 8A.121, Code 2007, is repealed.

24 30 DIVISION III

24 31 COMMISSION ON NATIVE AMERICAN AFFAIRS

24 32 Sec. 37. Section 7E.5, subsection 1, paragraph s, Code
24 33 2007, is amended to read as follows:

24 34 s. The department of human rights, created in section
24 35 216A.1, which has primary responsibility for services relating
25 1 to Latino persons, women, persons with disabilities, community
25 2 action agencies, criminal and juvenile justice planning, the
25 3 status of African-Americans, ~~and~~ deaf and hard-of-hearing
25 4 persons, and Native-Americans.

25 5 Sec. 38. Section 216A.1, Code 2007, is amended by adding
25 6 the following new subsection:

25 7 NEW SUBSECTION. 9. Division on Native American affairs.

25 8 Sec. 39. NEW SECTION. 216A.161 DEFINITIONS.

25 9 For purposes of this subchapter, unless the context
25 10 otherwise requires:

25 11 1. "Administrator" means the administrator of the division
25 12 on Native American affairs.

25 13 2. "Commission" means the commission on Native American
25 14 affairs.

25 15 3. "Division" means the division on Native American
25 16 affairs of the department of human rights.

25 17 4. "Tribal government" means the governing body of a
25 18 federally recognized Indian tribe.

25 19 Sec. 40. NEW SECTION. 216A.162 ESTABLISHMENT == PURPOSE.

25 20 1. A commission on Native American affairs is established
25 21 consisting of eleven voting members appointed by the governor,
25 22 subject to confirmation by the senate. The members of the
25 23 commission shall appoint one of the members to serve as
25 24 chairperson of the commission.

25 25 2. The purpose of the commission shall be to work in
25 26 concert with tribal governments, Native American groups, and
25 27 Native American persons in this state to advance the interests
25 28 of tribal governments and Native American persons in the areas
25 29 of human rights, access to justice, economic equality, and the
25 30 elimination of discrimination.

25 31 3. The members of the commission shall be as follows:

25 32 a. Seven public members appointed in compliance with
25 33 sections 69.16 and 69.16A who shall be appointed with
25 34 consideration given to the geographic residence of the member
25 35 and the population density of Native Americans within the
26 1 vicinity of the geographic residence of a member. Of the
26 2 seven public members appointed, at least one shall be a Native
26 3 American who is an enrolled tribal member living on a tribal
26 4 settlement or reservation in Iowa and whose tribal government
26 5 is located in Iowa and one shall be a Native American who is
26 6 primarily descended from a tribe other than those specified in
26 7 paragraph "b".

26 8 b. Four members selected by and representing tribal

26 9 governments.

26 10 c. All members of the commission shall be residents of

26 11 Iowa.

26 12 Sec. 41. NEW SECTION. 216A.163 TERM OF OFFICE.

26 13 Five of the members appointed to the initial commission

26 14 shall be designated by the governor to serve two-year terms,

26 15 and six shall be designated by the governor to serve four-year

26 16 terms. Succeeding appointments shall be for a term of four

26 17 years. Vacancies in the membership shall be filled for the

26 18 remainder of the term of the original appointment.

26 19 Sec. 42. NEW SECTION. 216A.164 MEETINGS OF THE

26 20 COMMISSION.

26 21 The commission shall meet at least four times each year,

26 22 and shall hold special meetings on the call of the

26 23 chairperson. The commission shall adopt rules pursuant to

26 24 chapter 17A as it deems necessary for the conduct of its

26 25 business. The members of the commission shall be reimbursed

26 26 for actual expenses while engaged in their official duties. A

26 27 member may also be eligible to receive compensation as

26 28 provided in section 7E.6.

26 29 Sec. 43. NEW SECTION. 216A.165 DUTIES.

26 30 The commission shall have all powers necessary to carry out

26 31 the functions and duties specified in this subchapter and

26 32 shall do all of the following:

26 33 1. Advise the governor and the general assembly on issues

26 34 confronting tribal governments and Native American persons in

26 35 this state.

27 1 2. Promote legislation beneficial to tribal governments

27 2 and Native American persons in this state.

27 3 3. Recommend to the governor and the general assembly any

27 4 revisions in the state's affirmative action program and other

27 5 steps necessary to eliminate discrimination against and the

27 6 underutilization of Native American persons in the state's

27 7 workforce.

27 8 4. Serve as a conduit to state government for Native

27 9 American persons in this state.

27 10 5. Serve as an advocate for Native American persons and a

27 11 referral agency to assist Native American persons in securing

27 12 access to justice and state agencies and programs.

27 13 6. Serve as a liaison with federal, state, and local

27 14 governmental units, and private organizations on matters

27 15 relating to Native American persons in this state.

27 16 7. Conduct studies, make recommendations, and implement

27 17 programs designed to solve the problems of Native American

27 18 persons in this state in the areas of human rights, housing,

27 19 education, welfare, employment, health care, access to

27 20 justice, and any other related problems.

27 21 8. Publicize the accomplishments of Native American

27 22 persons and their contributions to this state.

27 23 9. Work with other state, tribal, and federal agencies and

27 24 organizations to develop small business opportunities and

27 25 promote economic development for Native American persons.

27 26 Sec. 44. NEW SECTION. 216A.166 REVIEW OF GRANT

27 27 APPLICATIONS AND BUDGET REQUESTS.

27 28 Before the submission of an application, a state department

27 29 or agency shall consult with the commission concerning an

27 30 application for federal funding that will have its primary

27 31 effect on tribal governments or Native American persons. The

27 32 commission shall advise the governor, the director of the

27 33 department of human rights, and the director of revenue

27 34 concerning any state agency budget request that will have its

27 35 primary effect on tribal governments or Native American

28 1 persons.

28 2 Sec. 45. NEW SECTION. 216A.167 ADDITIONAL DUTIES AND

28 3 AUTHORITY == LIMITATIONS.

28 4 1. The commission shall have responsibility for the budget

28 5 of the commission and the division and shall submit the budget

28 6 to the director of the department of human rights as provided

28 7 in section 216A.2, subsection 2.

28 8 2. The commission may do any of the following:

28 9 a. Enter into contracts, within the limit of funds made

28 10 available, with individuals, organizations, and institutions

28 11 for services.

28 12 b. Accept gifts, grants, devises, or bequests of real or

28 13 personal property from the federal government or any other

28 14 source for the use and purposes of the commission.

28 15 3. The commission shall not have the authority to do any

28 16 of the following:

28 17 a. Implement or administer the duties of the state of Iowa

28 18 under the federal Indian Gaming Regulatory Act, shall not have

28 19 any authority to recommend, negotiate, administer, or enforce

28 20 any agreement or compact entered into between the state of
28 21 Iowa and Indian tribes located in the state pursuant to
28 22 section 10A.104, and shall not have any authority relative to
28 23 Indian gaming issues.
28 24 b. Administer the duties of the state under the federal
28 25 National Historic Preservation Act, the federal Native
28 26 American Graves Protection and Repatriation Act, and chapter
28 27 263B. The commission shall also not interfere with the
28 28 advisory role of a separate Indian advisory council or
28 29 committee established by the state archeologist by rule for
28 30 the purpose of consultation on matters related to ancient
28 31 human skeletal remains and associated artifacts.

28 32 4. This subchapter shall not diminish or inhibit the right
28 33 of any tribal government to interact directly with the state
28 34 or any of its departments or agencies for any purpose which a
28 35 tribal government desires to conduct its business or affairs
29 1 as a sovereign governmental entity.

29 2 Sec. 46. NEW SECTION. 216A.168 ADMINISTRATOR.

29 3 The commission shall designate the duties and obligations
29 4 of the position of administrator. The administrator shall
29 5 carry out programs and policies as determined by the
29 6 commission. The administrator may employ other persons
29 7 necessary to carry out the programs of the division.

29 8 Sec. 47. NEW SECTION. 216A.169 STATE AGENCY ASSISTANCE.

29 9 On the request of the commission, state departments and
29 10 agencies may supply the commission with advisory staff
29 11 services on matters relating to the jurisdiction of the
29 12 commission. The commission shall cooperate and coordinate its
29 13 activities with other state agencies to the highest possible
29 14 degree.

29 15 Sec. 48. NEW SECTION. 216A.170 ANNUAL REPORT.

29 16 Not later than February 1 of each year, the commission
29 17 shall file a report in an electronic format with the governor
29 18 and the general assembly of its activities for the previous
29 19 calendar year. With the report, the commission may submit any
29 20 recommendations pertaining to its activities and shall submit
29 21 recommendations for legislative consideration and other action
29 22 it deems necessary.

29 23 Sec. 49. COMMISSION ON NATIVE AMERICAN AFFAIRS ==
29 24 TRANSITION PROVISIONS.

29 25 1. The initial members of the commission established
29 26 pursuant to this Act shall be appointed by September 1, 2008.

29 27 2. Notwithstanding any provision of this Act to the
29 28 contrary, an administrator of the division on Native American
29 29 affairs and employees of the division shall not be appointed
29 30 or hired prior to July 1, 2009.

29 31 3. Prior to June 1, 2009, the commission shall submit a
29 32 report to the director of human rights. The report shall
29 33 include a job description for the administrator of the
29 34 division, goals for division operations, and performance
29 35 measures to measure achievement of division goals.

30 1 DIVISION IV

30 2 DEPARTMENT OF REVENUE ADMINISTRATION

30 3 Sec. 50. Section 99B.10B, subsection 2, Code Supplement
30 4 2007, is amended to read as follows:

30 5 2. a. The department shall revoke a registration issued
30 6 pursuant to section 99B.10 or 99B.10A, for a period of ten
30 7 years if a person commits an offense of awarding a cash prize
30 8 in violation of section 99B.10, subsection 1, paragraph "b",
30 9 pursuant to rules adopted by the department. A person whose
30 10 registration is revoked under this subsection who is a person
30 11 for which a class "A", class "B", class "C", special class
30 12 "C", or class "D" liquor control license has been issued
30 13 pursuant to chapter 123 shall have the person's liquor control
30 14 license suspended for a period of fourteen days in the same
30 15 manner as provided in section 123.50, subsection 3, paragraph
30 16 "a". A person whose registration is revoked under this
30 17 subsection who is a person for which only a class "B" or class
30 18 "C" beer permit has been issued pursuant to chapter 123 shall
30 19 have the person's class "B" or class "C" beer permit suspended
30 20 ~~and that person's sales tax permit suspended~~ for a period of
30 21 fourteen days in the same manner as provided in section
30 22 123.50, subsection 3, paragraph "a".

30 23 b. If a person owning or employed by an establishment
30 24 having a class "A", class "B", class "C", special class "C",
30 25 or class "D" liquor control license issued pursuant to chapter
30 26 123 commits an offense of awarding a cash prize in violation
30 27 of section 99B.10, subsection 1, paragraph "b", pursuant to
30 28 rules adopted by the department, the liquor control license of
30 29 the establishment shall be suspended for a period of fourteen
30 30 days in the same manner as provided in section 123.50,

30 31 subsection 3, paragraph "a". If a person owning or employed
30 32 by an establishment having a class "B" or class "C" beer
30 33 permit issued pursuant to chapter 123 awards a cash prize in
30 34 violation of section 99B.10, subsection 1, paragraph "b",
30 35 pursuant to rules adopted by the department, the beer permit
31 1 of the establishment ~~and the establishment's sales tax permit~~
31 2 shall be suspended for a period of fourteen days in the same
31 3 manner as provided in section 123.50, subsection 3, paragraph
31 4 "a".

31 5 Sec. 51. Section 99B.14, subsection 1, Code 2007, is
31 6 amended to read as follows:

31 7 1. The department may deny, suspend, or revoke a license
31 8 if the department finds that an applicant, licensee, or an
31 9 agent of the licensee violated or permitted a violation of a
31 10 provision of this chapter or a departmental rule adopted
31 11 pursuant to chapter 17A, or for any other cause for which the
31 12 director of the department would be or would have been
31 13 justified in refusing to issue a license, or upon the
31 14 conviction of a person of a violation of this chapter or a
31 15 rule adopted under this chapter which occurred on the licensed
31 16 premises. However, the denial, suspension, or revocation of
31 17 one type of gambling license does not require, but may result
31 18 in, the denial, suspension, or revocation of a different type
31 19 of gambling license held by the same licensee. In addition, a
31 20 person whose license is revoked under this section who is a
31 21 person for which a class "A", class "B", class "C", or class
31 22 "D" liquor control license has been issued pursuant to chapter
31 23 123 shall have the person's liquor control license suspended
31 24 for a period of fourteen days in the same manner as provided
31 25 in section 123.50, subsection 3, paragraph "a". In addition,
31 26 a person whose license is revoked under this section who is a
31 27 person for which only a class "B" or class "C" beer permit has
31 28 been issued pursuant to chapter 123 shall have the person's
31 29 class "B" or class "C" beer permit suspended ~~and that person's~~
~~31 30 sales tax permit suspended~~ for a period of fourteen days in
31 31 the same manner as provided in section 123.50, subsection 3,
31 32 paragraph "a".

31 33 Sec. 52. Section 421.17, Code 2007, is amended by adding
31 34 the following new subsection:

31 35 NEW SUBSECTION. 30. If a natural disaster is declared by
32 1 the governor in any area of the state, the director may extend
32 2 for a period of up to one year the due date for the filing of
32 3 any tax return and may suspend any associated penalty or
32 4 interest that would accrue during that period of time for any
32 5 affected taxpayer whose principal residence or business is
32 6 located in the covered area if the director determines it
32 7 necessary for the efficient administration of the tax laws of
32 8 this state.

32 9 Sec. 53. Section 421.60, subsection 8, Code 2007, is
32 10 amended to read as follows:

32 11 8. REFUND OF UNTIMELY ASSESSED TAXES. Notwithstanding any
32 12 other refund statute, if it appears that an amount of tax,
32 13 penalty, or interest has been paid to the department after the
32 14 expiration of the statute of limitations for the department to
32 15 determine and assess or collect the amount of such tax due,
32 16 then the amount paid shall be credited against another tax
32 17 liability of the taxpayer which is outstanding, if the statute
32 18 of limitations for assessment or collection of that other tax
32 19 has not expired or the amount paid shall be refunded to the
32 20 person or, with the person's approval, credited to tax to
32 21 become due. An application for refund or credit under this
32 22 subsection must be filed within one year of payment. This
32 23 subsection shall not be construed to prohibit the department
32 24 from offsetting the refund claim against any tax due, if the
32 25 statute of limitations for that other tax has not expired.
32 26 However, any tax, penalty, or interest due for which a notice
32 27 of assessment was not issued by the department but which was
32 28 voluntarily paid by a taxpayer after the expiration of the
32 29 statute of limitations for assessment shall not be refunded.

32 30 Sec. 54. Section 422.16, subsection 1, paragraph a, Code
32 31 Supplement 2007, is amended to read as follows:

32 32 a. Every withholding agent and every employer as defined
32 33 in this chapter and further defined in the Internal Revenue
32 34 Code, with respect to income tax collected at source, making
32 35 payment of wages to a nonresident employee working in Iowa, or
33 1 to a resident employee, shall deduct and withhold from the
33 2 wages an amount which will approximate the employee's annual
33 3 tax liability on a calendar year basis, calculated on the
33 4 basis of tables to be prepared by the department and schedules
33 5 or percentage rates, based on the wages, to be prescribed by
33 6 the department. Every employee or other person shall declare

33 7 to the employer or withholding agent the number of the
33 8 employee's or other person's personal ~~exemptions and~~
~~33 9 dependency exemptions or credits~~ allowances to be used in
33 10 applying the tables and schedules or percentage rates.
33 11 However, no greater number of ~~personal or dependency~~
~~33 12 exemptions or credits~~ allowances may be declared by the
33 13 employee or other person than the number to which the employee
33 14 or other person is entitled except as allowed under sections
33 15 3402(m)(1) and 3402(m)(3) of the Internal Revenue Code and as
33 16 allowed for the child and dependent care credit provided in
33 17 section 422.12C. The claiming of ~~exemptions or credits~~
33 18 allowances in excess of entitlement is a serious misdemeanor.
33 19 Sec. 55. Section 423.3, subsection 8, paragraph c,
33 20 unnumbered paragraph 1, Code Supplement 2007, is amended to
33 21 read as follows:
33 22 The replacement part is ~~essential to used in~~ any repair or
33 23 reconstruction necessary to the farm machinery's or
33 24 equipment's exempt use in the production of agricultural
33 25 products.
33 26 Sec. 56. Section 423.3, subsection 11, paragraph c, Code
33 27 Supplement 2007, is amended to read as follows:
33 28 c. The replacement part is ~~essential to used in~~ any repair
33 29 or reconstruction necessary to the farm machinery's or
33 30 equipment's exempt use in livestock or dairy production,
33 31 aquaculture production, or the production of flowering,
33 32 ornamental, or vegetable plants.
33 33 Sec. 57. Section 423.36, subsection 2, Code 2007, is
33 34 amended to read as follows:
33 35 2. To collect sales or use tax, the applicant must have a
34 1 permit for each place of business in the state of Iowa. The
34 2 department may deny a permit to an applicant who is
34 3 substantially delinquent in paying a tax due, or the interest
34 4 or penalty on the tax, administered by the department at the
34 5 time of application or if the applicant had a previous
~~34 6 delinquent liability with the department.~~ If the applicant is
34 7 a partnership, a permit may be denied if a partner is
34 8 substantially delinquent in paying any delinquent tax,
34 9 penalty, or interest or if a partner had a previous delinquent
~~34 10 liability with the department.~~ If the applicant is a
34 11 corporation, a permit may be denied if any officer having a
34 12 substantial legal or equitable interest in the ownership of
34 13 the corporation owes any delinquent tax, penalty, or interest
34 14 or if any officer having a substantial legal or equitable
~~34 15 interest in the ownership of the corporation had a previous~~
~~34 16 delinquent liability with the department.~~
34 17 Sec. 58. Section 423A.5, subsection 1, Code 2007, is
34 18 amended by adding the following new paragraph:
34 19 NEW PARAGRAPH. c. The sales price from transactions
34 20 exempt from state sales tax under section 423.3.
34 21 Sec. 59. Section 423A.5, subsection 2, Code 2007, is
34 22 amended by adding the following new paragraph:
34 23 NEW PARAGRAPH. c. The sales price from transactions
34 24 exempt from state sales tax under section 423.3.
34 25 Sec. 60. Section 423D.3, Code 2007, is amended to read as
34 26 follows:
34 27 423D.3 EXEMPTION.
34 28 The sales price on the lease or rental of equipment to
34 29 contractors for direct and primary use in construction is
34 30 exempt from the tax imposed by this chapter. The sales price
~~34 31 from transactions exempt from state sales tax under section~~
~~34 32 423.3 is also exempt from the tax imposed by this chapter.~~
34 33 Sec. 61. Section 427.1, subsection 7, Code Supplement
34 34 2007, is amended to read as follows:
34 35 7. LIBRARIES AND ART GALLERIES. All grounds and buildings
35 1 used for public libraries, public art galleries, and libraries
35 2 and art galleries owned and kept by private individuals,
35 3 associations, or corporations, for public use and not for
35 4 private profit. Claims for exemption for libraries and art
~~35 5 galleries owned and kept by private individuals, associations,~~
~~35 6 or corporations for public use and not for private profit must~~
~~35 7 be filed with the local assessor by February 1 of the first~~
~~35 8 year the exemption is requested. Once the exemption is~~
~~35 9 granted, the exemption shall continue to be granted for~~
~~35 10 subsequent assessment years without further filing of claims~~
~~35 11 as long as the property continues to be used as a library or~~
~~35 12 art gallery for public use and not for private profit.~~
35 13 Sec. 62. Section 452A.2, subsection 35, Code 2007, is
35 14 amended to read as follows:
35 15 35. "Supplier" means a person who acquires motor fuel or
35 16 special fuel by pipeline or marine vessel from a state,
35 17 territory, or possession of the United States, or from a

35 18 foreign country for storage at and distribution from a
35 19 terminal and who is registered under 26 U.S.C. } 4101 for
35 20 tax-free transactions in gasoline, a person who produces in
35 21 this state or acquires by truck, railcar, or barge for storage
35 22 at and distribution from a terminal, biofuel, biodiesel,
35 23 alcohol, or alcohol derivative substances, or a person who
35 24 produces, manufactures, or refines motor fuel or special fuel
35 25 in this state. "Supplier" includes a person who does not meet
35 26 the jurisdictional connection to this state but voluntarily
35 27 agrees to act as a supplier for purposes of collecting and
35 28 reporting the motor fuel or special fuel tax. "Supplier" does
35 29 not include a retail dealer or wholesaler who merely blends
35 30 alcohol with gasoline or biofuel with diesel before the sale
35 31 or distribution of the product or a terminal operator who
35 32 merely handles, in a terminal, motor fuel or special fuel
35 33 consigned to the terminal operator.

35 34 Sec. 63. Section 452A.33, subsection 2, unnumbered
35 35 paragraph 1, Code 2007, is amended to read as follows:

36 1 On or before ~~February~~ April 1 the department shall deliver
36 2 a report to the governor and the legislative services agency.
36 3 The report shall compile information reported by retail
36 4 dealers to the department as provided in this section and
36 5 shall at least include all of the following:

36 6 Sec. 64. Section 452A.59, Code 2007, is amended to read as
36 7 follows:

36 8 452A.59 ADMINISTRATIVE RULES.

36 9 The department of revenue and the state department of
36 10 transportation are authorized and empowered to adopt rules
36 11 under chapter 17A, relating to the administration and
36 12 enforcement of this chapter as deemed necessary by the
36 13 departments. However, when in the opinion of the director it
36 14 is necessary for the efficient administration of this chapter,
36 15 the director may regard persons in possession of motor fuel,
36 16 special fuel, biofuel, alcohol, or alcohol derivative
36 17 substances as blenders, dealers, eligible purchasers,
36 18 exporters, importers, restrictive suppliers, suppliers,
36 19 terminal operators, or nonterminal storage facility operators.

36 20 Sec. 65. Section 453A.46, subsection 7, Code Supplement
36 21 2007, is amended to read as follows:

36 22 7. The director may require by rule that ~~reports~~ returns
36 23 be filed by electronic transmission.

36 24 Sec. 66. Section 422.24A, Code 2007, is repealed.

36 25 Sec. 67. RETROACTIVE APPLICABILITY DATE. The section of
36 26 this division of this Act repealing section 422.24A applies
36 27 retroactively to January 1, 2008, for tax years beginning on
36 28 or after that date.

36 29 DIVISION V

36 30 DEPUTY SHERIFF POSITIONS

36 31 Sec. 68. Section 341A.7, Code 2007, is amended to read as
36 32 follows:

36 33 341A.7 CLASSIFICATIONS.

36 34 1. The classified civil service positions covered by this
36 35 chapter include persons actually serving as deputy sheriffs
37 1 who are salaried pursuant to section 331.904, subsection 2,
37 2 but do not include a chief deputy sheriff, two second deputy
37 3 sheriffs in counties with a population of more than one
37 4 hundred thousand, three second deputy sheriffs in counties
37 5 with a population of more than one hundred fifty thousand, and
37 6 four second deputy sheriffs in counties with a population of
37 7 more than two hundred thousand. However, a chief deputy
37 8 sheriff or second deputy sheriff who becomes a candidate for a
37 9 partisan elective office for remuneration is subject to
37 10 section 341A.18. A deputy sheriff serving with permanent rank
37 11 under this chapter may be designated chief deputy sheriff or
37 12 second deputy sheriff and retain that rank during the period
37 13 of service as chief deputy sheriff or second deputy sheriff
37 14 and shall, upon termination of the duties as chief deputy
37 15 sheriff or second deputy sheriff, revert to the permanent
37 16 rank.

37 17 2. If the positions of two second deputy sheriffs of a
37 18 county were exempt from classified civil service coverage
37 19 under this chapter based on the 1980 decennial census, the two
37 20 second deputy positions shall remain exempt from classified
37 21 civil service coverage under this chapter.

37 22 Sec. 69. IMPLEMENTATION OF ACT. Section 25B.2, subsection
37 23 3, shall not apply to this division of this Act.

37 24 DIVISION VI

37 25 MISCELLANEOUS PROVISIONS

37 26 Sec. 70. Section 8.64, subsection 2, Code Supplement 2007,
37 27 is amended to read as follows:

37 28 2. "Community-wide area" means a distinct geographical

37 29 area voluntarily formed by and comprised of counties, cities,
37 30 or townships, or any combination thereof, all of which possess
37 31 a degree of autonomy in a varying number of matters. State
37 32 agencies, community colleges, and school districts may also
37 33 participate in a community-wide area if joined by a county,
37 34 city, or township.

37 35 Sec. 71. Section 331.907, subsection 3, Code 2007, is
38 1 amended to read as follows:

38 2 3. The elected county officers are also entitled to
38 3 receive their actual and necessary expenses incurred in
38 4 performance of official duties of their respective offices.
38 5 The board of supervisors may authorize the reimbursement of
38 6 expenses related to an educational course, seminar, or school
38 7 which is attended by a county officer after the county officer
38 8 is elected, but prior to the county officer taking office.

38 9 Sec. 72. NEW SECTION. 504.132 SECRETARY OF STATE ==
38 10 INTERNET SITE.

38 11 The secretary of state shall place on the secretary of
38 12 state's internet site a link to a free internet site with
38 13 completed internal revenue service forms 990 and 990EZ.

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38 17 _____
38 18 JOHN P. KIBBIE
38 19 President of the Senate

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38 21

38 22 _____
38 23 PATRICK J. MURPHY
38 24 Speaker of the House

38 25 I hereby certify that this bill originated in the Senate and
38 26 is known as Senate File 2400, Eighty-second General Assembly.

38 27
38 28

38 29
38 30 _____
38 31 MICHAEL E. MARSHALL
38 32 Secretary of the Senate

38 33 Approved _____, 2008

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39 1 _____
39 2 CHESTER J. CULVER
39 3 Governor